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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO. 080426-000000US

In re Patent Application of SHAH, Salehuzzaman, et al.

Serial No. 10/583,301

Group Art Unit: Not yet assigned

Filed: December 17, 2004

Examiner: Not yet assigned

For: TRANSGENTIC PLANTS WITH REDUCED LEVEL OF SATURATED FATTY ACID AND  
METHODS FOR MAKING THEM

### **INFORMATION DISCLOSURE STATEMENT**

This Information Disclosure Statement is being filed in the manner prescribed by 37 CFR 1.97(b) - (d) to satisfy the duty under 37 CFR 1.56 to disclose to the Office information, known to individuals associated with the filing and prosecution of the subject application, which is material to the examination of the application.

In accordance with 37 CFR 1.97(g) and (h), this statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 CFR 1.56(b).

This Information Disclosure Statement is being filed within three months of the filing date of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first official action on the merits and therefore applicant respectfully requests consideration under 37 CFR 1.97(b).

In compliance with 37 CFR 1.98(a)(2), also enclosed is a legible copy of:

- i) each foreign patent;
- ii) each publication or that portion which caused it to be listed; and
- iii) all other information or that portion which caused it to be listed, excluding any

copies of a United States patent application.


In compliance with 37 CFR 1.98(a)(1), a list of all patents, publications, applications or other information submitted for consideration by the Office is hereby provided by way of the attached Form PTO/SB/08. Also enclosed is a copy of the Search/Examination report corresponding to the PCT application. All of the references cited in the International Search Report for International PCT Application PCT/CA2004/002156, on which the instant is based, are included in the Form PTO/SB/08.

It is respectfully requested that the information be expressly considered by the Examiner and that the references be made of record and appear among the "References Cited" on any patent to issue therefrom.

The Patent Office is hereby authorized to charge any deficiency, or credit any overpayment in fees to Deposit Account Number

Respectfully submitted,

Dated: 6-11- , 2007



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Encls.: Form PTO/SB/08  
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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/583301
		Filing Date	December 17, 2004
		First Named Inventor	Salehuzzaman Shah
		Art Unit	N/A
		Examiner Name	N/A
		Attorney Docket Number	080426-000000US
Sheet	1	of	3

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. <sup>1</sup>	Document Number Number-Kind code <sup>2</sup> (if known)	Publication Date MM-DD-YYY	Name of Patentee or Applicant of Cited Document	Page, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/E.M./	AA	US-5,552,306	09-03-1996	Rhone-Poulenc Agrochimie	
	AB	US-5,614,393	03-25-1997	Rhone-Poulenc Agrochimie	
	AC	US-5,663,068	09-02-1997	Rhone-Poulenc Agrochimie	
	AD	US-5,689,050	11-18-1997	Rhone-Poulenc Agrochimie	
	AE	US-5,789,220	08-04-1998	Rhone-Poulenc Agrochimie	
	AF	US-6,043,411	03-28-2000	Kirin Brewery (JP)	
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	AH	US-6,683,232 B2	01-27-2004	Rhone-Poulenc Agrochimie	
	AI	USSN 20030054521 A1	03-20-2003		
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Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
/E.M./	AK	WO 2004057001 A2	07-08-2004	Univ Bristol, et al. (GB)		<input type="checkbox"/>
/E.M./	AL	WO9621002A2	04-11-1996	Univ North Eastern (US)		<input type="checkbox"/>
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		Filing Date	December 17, 2004
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		Art Unit	N/A
		Examiner Name	N/A
Sheet 2	of 3	Attorney Docket Number	080426000000US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages, volume-issue number(s), publisher, city and /or country where published.	T <sup>2</sup>
/E.M./	AM	BARTON, K.A., et al. "Regeneration of Intact Tobacco Plants Containing Full Length Copies of Genetically Engineered T-DNA, and Transmission of T-DNA of R1 Progeny." <i>Cell</i> (1983) vol. 32: 1033-1043.	<input type="checkbox"/>
	AN	BELLUCCI, Michele, et al. "Expression maize $\gamma$ -zein and $\beta$ -zein genes in Transgenic <i>Nicotiana tabacum</i> and <i>Lotus corniculatus</i> ." <i>Plant Cell Tissue and Organ Culture</i> (2000) vol. 62: 141-151.	<input type="checkbox"/>
	AO	BEVAN, Michael, "Binary <i>Agrobacterium</i> Vectors for Plant Transformation." <i>Nucl. Acids. Res.</i> (1984) vol. 12 no. 22: 8711-8721.	<input type="checkbox"/>
	AP	DELLAPORTA S.L., et al. "A plant DNA Mini-Preparation: Version II." (1983) <i>Plant Mol Biol Rep</i> vol. 1: 19-21	<input type="checkbox"/>
	AQ	DITTA, M.J., et al., "Broad Host Range DNA Cloning System for Gram-Negative Bacteria: Construction of a Gene Bank of <i>Rhizobium Meliloti</i> ." <i>Proc Natl Acad Sci. U.S.A.</i> vol. 27: 7347-7351.	<input type="checkbox"/>
	AR	DRAPER, J., et al., "Plant Genetic Transformation and Gene Expression; A Laboratory Manual", Eds. Blackwell Scientific Publications, 1988. Chapter 2 and Chapter 3.	<input type="checkbox"/>
	AS	FRAMMOND, A.J., et al., "Mini-Ti: A New Vector Strategy for Plant Genetic Engineering." <i>Bio/Technology</i> (1983) vol. 1: 262-269.	<input type="checkbox"/>
	AT	FRALEY, Robert T., et al. "The SEV System: A New Disarmed Ti Plasmid Vector System for Plant Transformation." <i>Bio/Technology</i> (1985) vol. 3: 629-635.	<input type="checkbox"/>
	AU	HAHN JJ., et al., "Growth Kinetics, Nutrient Uptake, and Expression of the <i>Alcaligenes Eutrophus</i> poly( $\beta$ -hydroxybutyrate) Synthesis Pathway in Transgenic Maize Cell Suspension Cultures." <i>Biotech Prog</i> (1997) vol. 13: 347-354.	<input type="checkbox"/>
	AV	HERNALSTEENS, Jean-Pierre. "The <i>Agrobacterium tumefaciens</i> Ti Plasmid as a Host Vector System for Introducing Foreign DNA in Plant Cells." <i>Nature</i> (1980) vol. 287: 654-656.	<input type="checkbox"/>
	AW	HOEKEMA, A., et al., "A Binary Plant Vector Strategy Based on Separation of <i>vir</i> - AND <i>t</i> -REGION OF THE <i>Agrobacterium tumefaciens</i> Ti-Plasmid." <i>Nature</i> (1983) vol. 303: 179-180.	<input type="checkbox"/>
	AX	HORSCH, R.B., et al., "Leaf Disc Transformation." <i>Plant Molecular Biology Manual</i> (1988), A5/I-AF/9, Kluwer Academic Publishers, Dordrecht/Boston/London.	<input type="checkbox"/>
	AY	ISHIZAKI-NISHIZAWA O, et al., "Low-Temperature Resistance of Higher Plants is Significantly Enhanced by a Nonspecific Cyanobacterial Desaturase." <i>Nature Biotechnology</i> (1996) vol. 14:1003-1006.	
	AZ	LEHMANN K., et al., <i>Plant Physiol.</i> (2001) Oct; vol. 127 no. 2: 436-49.	<input type="checkbox"/>
	BA	MANUBU, Murakami, et al., "Genomic Organization and Functional Analysis of Murine PKD2L1." <i>J. Biol. Chem.</i> (2005) vol. 280 no. 7:5626-35.	<input type="checkbox"/>

Examiner Signature	/Elizabeth McElwain/	Date Considered	06/24/2010
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/E.M./	BB	MATZKE, M.A., et al., "Transcription of Zein Gene Introduced into Sunflower Using Ti Plasmid Vector." <i>The EMBO Journal</i> (1984) vol. 3. No. 7: 1525-1531.	<input type="checkbox"/>
	BC	MICHAELIS, et al. <i>Ann. Rev. Microbiol.</i> (1982) vol. 36:425-464.	<input type="checkbox"/>
	BD	MOLONEY, M., et al., "High Efficiency Transformation of <i>Brassica napus</i> using <i>Agrobacterium</i> Vectors." <i>Plant cell Rep</i> (1989) vol. 8: 238-242.	<input type="checkbox"/>
	BE	SAMBROOK, J., et al., "Molecular Cloning: A Laboratory Manual", (1989) Cold Spring Harbor Laboratory Press, Cold Spring Harbor, N.Y. vol. 2: 9.47-9.58.	<input type="checkbox"/>
	BF	SCHARDL C.L., et al., "Design and Construction of a Versatile System for the Expression of Foreign Genes in Plants." <i>Gene</i> (1987) vol. 61: 1-11.	<input type="checkbox"/>
	BG	SHAH S., et al., "Farming for the Future, AARI Project #19990032, Final Report", (2003) pp. 1-82.	<input type="checkbox"/>
	BH	SHASANY AK, et al., <i>Indian J. Exp Biol</i> (2000) April; vol. 38 no. 4: 363-72.	<input type="checkbox"/>
	BI	VAN DEN BROECK, et al., "Targeting of a Foreign Protein to Chloroplasts by Fusion to the Transit Peptide from the Samll Subunit of Ribulose 1,5-bisphosphate carboxylase." <i>Nature</i> (1985) vol. 313: 358-363.	<input type="checkbox"/>
	BJ	VERWOERD TC., et al., "A Small-Scale Procedure for the Rapid Isolation of Plant RNAs." <i>Nuclie Acid Research</i> (1989) vol. 17: 2362.	<input type="checkbox"/>
	BK	VINCENT MJ., et al., "Function of the KKXX (SEQ ID NO:3) Motif in Endoplasmic Reticulum Retrieval of a Transmembrane Protein Depends on the Length and Structure of the Cytoplasmic Domain." <i>J. Biol. Chem</i> (1998) vol. 273: 950-956.	<input type="checkbox"/>
	BL	YAO et al., (2003) <i>Plant Biotech. J.</i> vol. 1:221-229.	<input type="checkbox"/>
	BM	ZAMBRYSKI, P., et al., "Ti Plasmid Vector for the Introduction of DNA into Plant Cells Without Alteration of Their Normal Regeneration Capacity." <i>EMBO J.</i> (1983) vol. 2: 2143.	<input type="checkbox"/>
	BN	ZENG, Qian-Chun, et al. "Obtainng Stem Borer-Resistant Homozygous Transgenic lines of Minghui 81 Harboring Novel <i>cryIac</i> Gene via Particle Bombardment." <i>Acta Genetica Sinica</i> (2002) vol. 29 no. 6: 519-524.	<input type="checkbox"/>
	BO	ZHANG, Geng-Li, et al. "An Initial Study of Transgenic <i>Carica papaya</i> Used as a Kind of Vaccine for Anti-Tuberculosis." <i>Acta Botanica Yunnanica</i> (2003) vol. 25. No. 2: 223-229.	<input type="checkbox"/>

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